

Appl. No. 10/650,505
Amdt. Dated February 2, 2009
Reply to Office Action of January 8, 2009

Attorney Docket No. 81872.0051
Customer No.: 26021

REMARKS:

Claims 13-15, 18-20, and 23-41 are pending in the application. Reexamination and reconsideration of the application, in view of the following remarks, are respectfully requested.

DOUBLE PATENTING:

Claims 13, 14, 18, 34, 36, and 41 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 7,459,098. In response, Applicant files concurrently herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321(c), disclaiming the terminal part of a patent granted on this application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 7,459,098, as presently shortened by any terminal disclaimer. Withdrawal of the rejection is thus respectfully requested.

ALLOWABLE SUBJECT MATTER:

Claims 19 and 20 are allowed.

Claims 15, 23-33, 35, 37, 39, and 40 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 15 and 23-33 depend from claim 13; and claims 35, 37, 39, and 40 depend from claim 34. Since claims 13 and 34 are believed to be patentable due to the concurrent filing of a terminal disclaimer, claims 15, 23-33, 35, 37, 39, and 40 are believed to be patentable in their current form. Withdrawal of this objection and allowance of claims 15, 23-33, 35, 37, 39, and 40 is thus respectfully requested.

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In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, in view of the foregoing, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: February 2, 2009

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